Docket No.: 04540/1208852-US3

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Axel Unterbeck

Application No.: 10/580,008

Confirmation No.: 7744

Filed: May 4, 2007

Art Unit: 1616

For: METHODS OF TREATMENT USING (+)ISOPROPYL 2-METHOXYETHYL 4-(2CHLORO-3-CYANO-PHENYL)-1, 4DIHYDRO-2, 6-DIMETHYL-PYRIDINE-3, 5DICARBOXYLATE

INFORMATION DISCLOSURE STATEMENT (IDS)

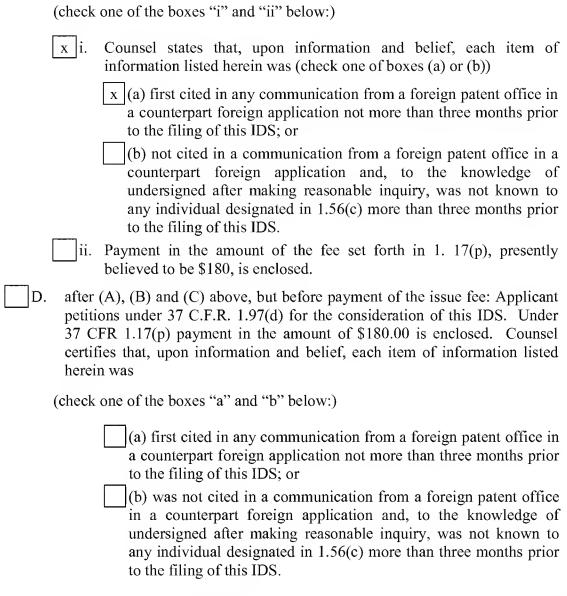
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

relying on application.	the filing date of the above-identified application or cross-referencing it as a
	. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed: of the boxes A-D)
A.	within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above identified national application
B.	before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
x C.	after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

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2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

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(check boxes A, B and/or C and fill in blanks, if appropriate.)							
A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated August 5, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(ii), a copy/copies of the U.S. Patent(s) and/or U.S. Patent Application Publication(s) on PTO/SB/08 is/are not being submitted.							
B. Document(s) is (are) deemed substantially cumulative to document(s) , and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.							
C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:							
< <insert &="" date="" filing="" no.="" serial="">></insert>							
Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.							
3. Cite Nos are not in the English language. In accordance with 1.98(c), Applicant states:							
An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.							
The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).							
A concise explanation of the relevance of document(s) is set forth as follows: [Insert concise explanation of relevance]							
A concise explanation of the relevance of document(s) can be found on page(s) of the specification.							
A concise explanation of document(s) can be found on the attached sheet.							

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4.		olanation of re			•					
	English language (see reply to Comments 67 in the preamble the final rules; 1135 OG 13 at 20).									
x 5.	Other	information	being	provided	for	the	examiner's			
	conside	eration follows	s:							

A European Search Report, mailed June 24, 2008, which issued during the prosecution of European Patent Application No. 08153319.2, which corresponds to the present application.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: July 17, 2008 Respectfully submitted,

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